

Minute Order Form (06/97)

1592

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	George M. Marovich	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	01 C 5679	DATE	3/29/2002
CASE TITLE	Chao vs. District Lodge 141, et al.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

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DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due _____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due _____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Pursuant to stipulation of settlement and order, this case is hereby resolved. All pending motions are declared moot. Status hearing set for 5/15/02 stricken.

- (11) ☐ [For further detail see order (on reverse side of/attached to) the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	<div style="text-align: center;"> <p>U.S. DISTRICT COURT</p> <p>CLERK</p> <p>02 MAR 29 PM 12:59</p> <p>FILED</p> </div>	<div style="text-align: center;"> <p>number of notices</p> <p>4/1/02</p> <p>date docketed</p> </div> <div style="text-align: center;"> <p>docketing deputy initials</p> <p><i>[Signature]</i></p> </div> <div style="text-align: center;"> <p>date mailed notice</p> </div> <div style="text-align: center;"> <p>mailing deputy initials</p> </div>	<div style="text-align: center;"> <p>Document Number</p> <p>7</p> </div>
<div style="display: flex; justify-content: space-between;"> JD courtroom deputy's initials </div>	<div style="text-align: center;"> <p>Date/time received in central Clerk's Office</p> </div>		

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED
APR - 1 2002

ELAINE L. CHAO, Secretary of Labor,
United States Department of Labor,

Plaintiff,

v.

DISTRICT LODGE 141, INTERNATIONAL
ASSOCIATION OF MACHINISTS AND AEROSPACE
WORKERS OF AMERICA, AFL-CIO,

Defendant.

Case No. 01 C 5679

Judge Marovich

STIPULATION OF SETTLEMENT AND ORDER

The subject action was initiated as a result of the plaintiff's investigation of the election of officers of the defendant, District Lodge 141, and the nominations therefor, held in the year 2000, under Title IV of the Labor-Management Reporting and Disclosure Act of 1959, (29 U.S.C. 481 et seq.) hereinafter referred to as "the Act." The parties, through their undersigned counsel, hereby stipulate and agree to entry of this order, and to the settlement of this action without necessity of a trial, in accordance with the terms and conditions set forth below, which are based solely on the unique facts of this case:

1. On July 20, 2001, plaintiff filed a complaint pursuant to Title IV of the Act seeking an order declaring defendant's April 4, 2000 and April 11, 2000, nominations for the offices of Assistant General Chairperson (2 year term) and Assistant General Chairperson (4 year term) in Local Lodges 1322 and 846 to be true and correct and directing the defendant to conduct a new

election for the aforementioned offices in accordance with the results of those nominations under plaintiff's supervision.

2(a) The parties agree that if John A. Aulicino, Jr., and/or Michael Pruitt desire to run for office in the forthcoming regularly scheduled election, their name[s] shall appear on the nomination tally for the positions of Assistant General Chairman, for the two year term and for the four year term, respectively, as though nominated by the four Local Lodges (Locals 846, 1044, 1322 and 1725) that originally nominated them for those positions in April, 2000 (hereinafter "the nominating local lodges"). If Aulicino and/or Pruitt desire to run, their name[s] shall also appear on the ballots for election of officers as though duly nominated in the forthcoming election, in the same manner as all other candidates and they shall be permitted to run as though duly nominated.

2(b) Nothing contained herein shall affect the right of the four nominating local lodges to nominate a full slate of officers, in addition to Aulicino and Pruitt. Nor shall anything contained herein prevent Aulicino and Pruitt from campaigning in those local lodges or any of the other locals to receive additional endorsements.

2(c) Nothing contained herein shall affect the right of Aulicino or Pruitt or both of them to seek nomination for any other office should either or both of them elect not to be placed on the ballot for the office of Assistant General Chairperson in accordance with the terms of this Stipulation and Order.

3. Those aspects of the forthcoming election that are related to assuring compliance with paragraphs 2(a) through 2(c) of this Stipulation shall be conducted under the supervision of the Secretary.

4. Should Aulicino or Pruitt, or both of them, be elected, such individual[s] shall serve the two year term or the four year term to which he was elected, as the case may be, in accordance with the Constitution of the International and the bylaws of the District Lodge and the Local Lodges.

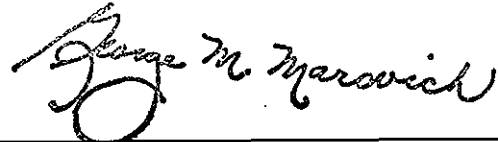
5. The forthcoming election and the nominations therefor shall be conducted in accordance with Title IV of the Act (29 U.S.C. Sec. 481 et seq.), and, insofar as lawful and practicable, in accordance with the Constitution of the International Association of Machinists and Aerospace Workers of America, AFL-CIO (hereinafter, the "International") and the bylaws of District Lodge 141 (hereinafter the "District Lodge") and the bylaws of the various Local Lodges affected, and the terms of this Stipulation.

6. With regard to those aspects of the forthcoming election to be supervised by the plaintiff pursuant to this agreement, all decisions as to the interpretation or application of Title IV of the Act and the Constitution of the International and the bylaws of the District Lodge and the Local Lodges are to be determined by the Secretary, and her decisions shall be final.

7. This Court shall retain jurisdiction of this action and after completion of the election, the plaintiff shall certify to the Court that the defendant has complied with the terms of this stipulation. Upon approval of such certification, the court shall enter an appropriate Order based thereon.

Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding to date.

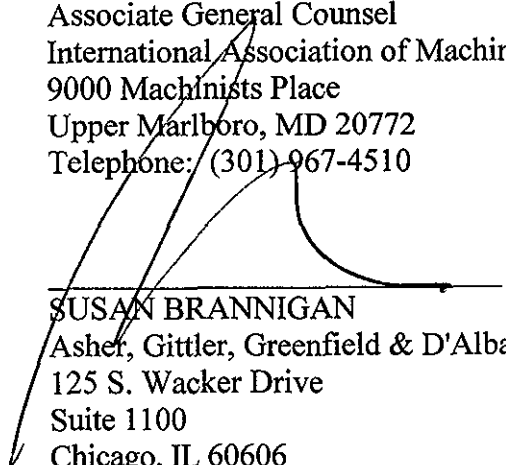
Dated this ____ day of ____, 2002.



UNITED STATES DISTRICT JUDGE

District Lodge 141, International Association
of Machinists and Aerospace Workers of America,
AFL-CIO, Defendant

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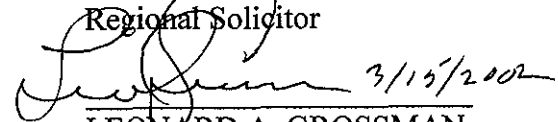


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